IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Crl.Rev.Pet.No. 1249 of 2007()

CRA.234/2006 of ADDL. DISTRICT & SESSIONS COURT (ADHOC II), THODUPUZHA.
CC.229/2005 of CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

SREENIVASAN, S/O.NARAYANAN,
KANJIRATHUNKAL VEEDU, BAISON VALLEY VILLAGE,
UDUMBANCHOLA TALUK.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS: RESPONDENTS/RESPONDENTS/STATE & COMPLAINANT

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1. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM.

2. RAJESH KUMAR,S/O.RAMAN PILLAI,
NADUVILEDATHU VEEDU,OLAMATTOM KARA,
THODUPUZHA TALUK.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1249 OF 2007

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Dated this the 23rd day of March 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.2,75,000/- and in default to undergo simple imprisonment for three months and if the fine amount is released Rs.2,60,000/- will be paid to the complainant as compensation.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to make the payment. In the circumstances, sentence is modified to imprisonment till rising of the court and to pay a compensation of Rs.2,60,000/- vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for six months. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Chief Judicial Magistrate, Thodupuzha on **24.09.2007** to receive sentence.

The Crl.R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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